

McGREGOR W. SCOTT  
United States Attorney  
LAUREL J. MONTOYA  
Assistant U.S. Attorney  
3654 Federal Building  
1130 "O" Street  
Fresno, California 93721  
Telephone: (559) 498-7272

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) 1:01-cr-005256 AWI  
Plaintiff, )  
v. ) STIPULATION TO CONTINUE  
FEDERICO CASTELLANOS-MENDEZ, ) MOTIONS HEARING AND  
Defendant. ) ORDER THEREON

IT IS HEREBY STIPULATED by and between the parties hereto, and through their respective counsel, that the status conference hearing currently set for December 19, 2005 may be continued to **January 30, 2006 at 9:00 a.m.** This request is being made due to the fact that defense counsel has a trial in a family law matter that conflicts with the status conference as presently set. That matter, Marriage of Garcia, case number 05-212883, is set to commence December 19, 2005, at 8:30 a.m., in the Tulare County Superior Court. Additionally, the defense is in the process of attempting to find a physician to evaluate the defendant regarding his mental condition which goes to the issue of prejudice as it relates to his Motion to Dismiss for Violation of the Speedy Trial Act. The parties agree that the delay resulting from the continuance shall be excluded in the interests of justice, including but not limited to, the need for the period of

11

11

1 time set forth herein for effective defense preparation and continuity of counsel pursuant to 18  
2 U.S.C. §§ 3161(h)(8)(A), and 3161(h)(8)(B)(i).

3 Dated: December 13, 2005

McGREGOR W. SCOTT  
United States Attorney

4

5

6

By: /s/ Laurel J. Montoya  
LAUREL J. MONTOYA  
Assistant U.S. Attorney

7

Dated: December 13, 2005

8

9

/s/ David F. Candelaria  
DAVID F. CANDELARIA  
Attorney for the Defendant

10

11

12

ORDER CONTINUING HEARING DATE

13

IT IS SO ORDERED. The status conference is continued to January 30, 2006 at 9:00 a.m.  
Time is excluded in the interests of justice pursuant to 18 U.S.C. §§ 3161(h)(8)(A), and  
3161(h)(8)(B)(i).

16

IT IS SO ORDERED.

17

Dated: December 14, 2005  
0m8i78

/s/ Anthony W. Ishii  
UNITED STATES DISTRICT JUDGE

18

19

20

21

22

23

24

25

26

27

28